

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT STACEY HILLARD,	)	
	)	
Plaintiff,	)	4:04CV3253
	)	
v.	)	
	)	
CRAIG RICHARDSON, et al.,	)	<b>MEMORANDUM AND</b>
	)	<b>ORDER</b>
Defendants.	)	

On August 28, 2007 this court entered a Memorandum and Order dismissing Defendants' Motion for Summary Judgment without prejudice. (Filing No. 121.) In its Memorandum and Order, the court gave Defendants until October 1, 2007 to file another summary judgment motion, brief, and evidence. On September 11, 2007 Defendants filed an Amended Brief in Support of Summary Judgment (filing no. 122) and a Supplemental Exhibit Index in Support of Motion for Summary Judgment (filing no. 123.) However, Defendants did not file a renewed motion for summary judgment.

The court can take no action at this time because no motion for summary judgment is pending. On the court's own motion, Defendants shall have until March 6, 2008 to file a renewed motion for summary judgment in compliance with this court's previous Memorandum and Order. In the event that Defendants file a renewed motion for summary judgment, the submissions already filed with the court will be treated as to pertaining to the renewed motion for summary judgment and need not be re-filed. (*See* Filing Nos. 122-23 and 127-129.)

IT IS THEREFORE ORDERED that:

1. Defendants shall have until March 6, 2008 to file a renewed motion for summary judgment in accordance with this and the court's previous Memorandum and Order. In the event that no renewed motion for summary judgment is filed, this case will proceed to trial.

2. The Clerk of court shall set a pro se case management deadline using the following language: Motion for Summary Judgment due March 6, 2008.

February 26, 2008.

BY THE COURT:

*s/Richard G. Kopf*  
United States District Judge